



The Human Resources Specialists

22 June 2009

HR KNOWHOW WHAT'S NEW

In this edition:

Update - H1N1 Influenza

Since our recent newsletter 16 June – there has been increased commentary regarding whether or not an employer is required to pay staff where they are well and sent home or the business shuts down.

The change on the Government's part to one of management rather than containment / isolation looks as though it will result in those people who are absent from work will only be those people who are sick.

Therefore the absence from work because of H1N1 influenza would be treated the same way one would treat any absence on the grounds of sickness during the winter months.

The shift to a management strategy should make it less likely that the Government will direct the closure of workplaces.

We understand that most people with the H1N1 Influenza are unwell for 2 – 4 days. This does put in perspective the amount of time off people may need.

What is clear is that employees who are sick can take sick leave and may elect to use annual leave if they have exhausted their sick leave. Such request for the sick leave to be treated as annual leave should be recorded in writing.

Going forward – we have prepared a clause for inclusion in all written employment agreements that specifies that the employer is not obligated to pay staff where they shut down or send people home in a pandemic or situation beyond the employer's control.

If you need employment agreements (contracts) or the pandemic clause re no obligation for payment to be included in your current employment agreements we can assist. Call us on 09 377 9891 or email kh@knowhow.co.nz

As the information and advice on H1N1 Influenza is constantly changing we strongly advise that you contact us on 09 377 98 91 to discuss any queries that you may have regarding your obligations as an employer.

Kind regards

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The Human Resources Specialists

We provide advice and hands on support for all your Human Resource management needs

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